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NETWORK FORMS OF EDUCATION PROGRAMS: RUSSIAN AND OVERSEAS EXPERIENCES

Network forms of education programs have slightly recently regulated in Russian law, in Federal Education Act ('On Education in the Russian Federation'). Today we have no comprehensive examples of when subjects have been using partnership forms. This is despite the fact that the Ministry of Education and Science of the Russian Federation prepared and gained special methodological recommendations for subjects interested in using the network forms and proposed a model for collaboration. Along with that in recommendations we could not find all answers to questions connected with the network forms and approved by the dogma of such forms. Therefore we should monitor and collect some countries' overseas experience for implementation in the Russian legal system. As such, we must make transparency in concurrency between the models of partnership forms and create education clusters as a system of contractual relationships. Refs 16.

Keywords: Partnership Forms, Innovative Technologies in Education, Education Programs Realization, Education Cluster.

In general, network forms of education programs might be presented as one way of supplying for education program realization: gaining infrastructure and financial resources. Integration process content to network forms means [1; 2; 3] estimating connection between subjects experience, reputation, resources. So, we could speak about several tasks of using in education process such innovative forms as network forms. In task's circle: (1) improving manageability while education process; (2) quality enhancement of education process; (3) education internationalization; (4) imaging improving; (5) supporting of disadvantaged persons. It is important to be mentioned that network forms in overseas practices of the United Kingdom, countries-members BRICS, Republic Belarus, and Republic Kazakhstan were named on some universities portals only. Some attention to the network forms is demonstrated in education systems Republic Belarus and Republic Kazakhstan. Particularly, universities [4] have been discussing perspectives of "two degrees" collaboration with overseas university, developing together a new master program [5], and planning a new network programs in future [6]. As we can see, Republic's Belarus

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and Republic's Kazakhstan experience of network forms of education programs concentrated on "two degrees" collaboration between universities, especially on the base of CIS Partnership University and SCO University [7; 8]. For example [9], "two degrees" education program has been realizing in the network form (MBA program) and two degrees are awarded by the universities. Likewise, bachelor network education program has been realizing with the South Korea Kyungdong University (BBA "Bachelor of Business Administration") [10]. Master programs has been realizing on the "two degrees" collaboration with (1) [11] group of such universities as MSLU, Wuhan University, Dalian University, Lanzhou University, Teesside University, Geneva Business School, Webster University Geneva, Kyung Hee University, University de Poitiers or (2) [12] University de Lorraine, UBIS. Realization of listed education programs is based on the parity principle: students are learning courses in two universities but reaches the degree in one university which recognized credits [3]. Hence, in the Republic Belarus and the Republic Kazakhstan is used the "university-university" network form while others forms are not demonstrated nowadays. Considered examples may us to make a conclusion about a priority between network forms in the Republic Belarus and the Republic Kazakhstan and methods of adaptation this model into education requirements of the bachelor programs, master programs, and professional programs.

The most general approach to ways of realization of network form of education at leading universities of the United Kingdom is use of the state research laboratories, technological centers of the leading private and state corporations [1; 2; 3]. Universities can be members of consortium of education, research sectors and the organizations of professional community, for example UK Applied Aerodynamics Consortium [1]. The relations of subjects of a network form are under construction only on a contractual basis [1], defining contributions of the parties for some questions realization in education process.

If we talk about a separate subspecialty of resources consolidation, it is possible to consider a partnership initiative ULMS Extra [2] или МЕПИ [13] allowing students in certain educational programs to participate in activities and to establish personal contacts with leading industry professionals and representatives of recruitment agencies. Realization of noted initiatives in the education institutes provides for graduates consultations and support [2] as experts in defined profession, which is made a peculiar improvement of their interests. As appears from universities of the United Kingdom's practice, process of training can be carried out both in the education institutes, and in infrastructure. By means of this form the complex solution of problems, creation of design and prototypes, project management, commercialization of results is provided [14]. Benefits of training in programs with network forms could be divided in two groups [12]: (1) formation of competences for access to a profession after obtaining the first level of the higher education and (2) more appreciation from employers to the graduate in comparison with others. As a result, network form of education is interpreted as one of options of realization of public and professional accreditation of educational programs, possible, structural by the nature. Public and professional accreditation at similar approach is carried out by the subject of a network form, being the representative of the non-educational sector [14]. Organizations can cooperate with professional associations (for example, interaction of some of the education institutes of the United Kingdom [4; 15] with Association of accountants of England and Wales — ICAEW) for providing a special, exclusive status to graduates when they overcome a qualification examination in a profession. Public and professional

recognition competences from graduates, finishing programs in network form, is provided attention to accreditation by the transnational organizations providing standards of professions in several states [2].

Set of the network forms models, existing nowadays in Russia, can be provided as follows [16]. The first model “education institute-education institute” can offer several variations. First variation: when the educational program providing identical contents of the same educational programs in each participating institutes for the approved curriculum. Second variation: when the education program consisting of modules, courses provided with each institute independently and the variable modules provided by the both institutes. Third variation: when the education program providing within the single approved education program consisting from modules, courses which are performed by each organization independently and the variable modules provided by the organizations. The second model “educational institute-company” assumes that the company represents material, technical and other resources for implementation of a practical part to education, including practices. Education program is based on the education institute coordination with the partner company. Each participant of such network form is responsible for the structural element of the education program, but program also has a joint zone of responsibility, regarding a final examination, for example. Interaction on network model between the education institute and the partner company puts a question about a possibility of such cooperation through a prism of an education cluster as the system of contractual relationships.

Creation of an educational cluster as the system of contractual relationships may assume two possible forms: (1) agreement about a cooperation or the agreement on intentions about implementation of actions which are not creating civil liabilities, or (2) conclusion of agreement on cooperation creating civil liabilities. The first form is legalized by the Letter of the Ministry of Education and Science of the Russian Federation of 04.02.2011 № 03-66 “About use of Public and Private Partnership in Education”. A basis of the agreement is the good will of the parties. Participants of an education cluster voluntarily and jointly plan the actions, and also realize them basing on the agreement. Distribution of rights and obligations developing according to the core business and resources of the parties and flexibly differs. Resources are allocated with the parties in case of reaching consensus. Operational management in education cluster using the management of the institutes and general coordination of activities is provided by the parties’ managers. The second form is based on the liabilities (contractual commitments) arising from the agreement on cooperation. General liabilities provisions are applied to such sort of liabilities if other is not provided by rules about Russian’s Civil Code general provisions or separate agreement types. General provisions about liabilities are also applied to the requirements which arose from the corporate relations, if other does not follow from the corresponding relations. It is indirect confirmation of education cluster consideration possibility in form of the contractual commitments system. The requirements arising from the relations between participants of an education cluster are similar to requirements from the corporate relations and that allows distributing on them liabilities general provisions. During creation of a cluster, parties can sign the agreement, which is not provided by the Civil Code or other Acts as such discretion is provided by regulations of p. 2, art. 421 of the Civil Code. Rules about separate agreement types are not applied to such agreement that does not exclude a possibility of law application by analogy to the relations of agreement

parties. Feature of the relations in an education cluster between parties assumes non-paid nature of the agreement as counter provision for fulfillment of duties by the parties is not supposed. Special regulation of a cluster in the form of the agreement on cooperation creating civil liabilities finds legislative notes only in regulations of article 5 of the Federal Act of 23.08.1996 № 127-FZ "About Science and the State Scientific and Technical Policy". The scientific institute has the right, based on the contract with the education institute of the higher education, create the structural division (for example, laboratory) performing scientific and (or) scientific and technical support in the education institute. The agreement can provide transfer from the scientific institute of the real estate for benefit of the education institute, and also right to use such property, belonging to the education institute, on the property right or operational management right (rights to real estate in Russian Civil Code). At the same time, it is allowed the choice of non-paid nature of the relations by the parties of the cluster. As it is possible to notice, joint coordination of activities may be considered as the purpose of the cooperation based on the contract between the scientific and education institutes. The circle of cooperation subjects is limited only by the scientific and education institutes, but guarantees of a cooperation are considered on an equal basis with the right of noted institute's types to create a education cluster.

If we are considering a cluster as the system of contractual relationships, then model, close by the legal nature, is the network form of implementation of education programs which have recently received fragmentary legislative regulation. Thus is allowed to attract scientific institutions, medical institutions, culture institutions, sports and other institutions to a network form if at least one of the subjects has been performing educational activities and have been using necessary resources for goal achievement and tasks of training in the education program, which is developed and approved by the partner institute.

It is necessary to specify such feature of network form as its purpose. The education program can be considered implementable in a network form only when all partners have the direct purpose of education program developing for the purpose of ensuring effective training and qualitatively new level of the specialists training. For implementation of the education program in a network form contract between all partner institutions is required. Such agreement have to regulate: (1) requirements to education process are caused by features of the education program, and with participation of which partners will be satisfied; (2) requirements for material logistics following from contents of the program and details, how they will be provided; (3) implementation methods of network interaction, applying to training in the current education program. Only two significant signs of network form follow from provisions of the Federal Act "About Education in the Russian Federation": firstly, missing resources of the educational organization and, secondly, conclusion of the contract with a strict set to compulsory provisions. Such understanding deprives a new form of original content does not allow to see in it an education cluster as system of contractual relationships. Russian Ministry of Education and Science in methodical recommendations gives the broadest understanding of network forms, being limited only by the requirements to contents of agreements. If to assume identity of a network form and education cluster as the system of contractual relationships, as a cluster it is possible to consider all Russian education institutions if they signed contracts students practices or carrying out joint scientific research with other institutions or companies about.

Thus, legislative approach to an education cluster as to the system of contractual relationships, creating civil liabilities, does not provides participation of any other subjects,

except scientific institutions, that the education institutions of the higher education. Declarative expansion of a circle of the subjects participating in creation of an education cluster as system of contractual relationships is made in the Act of the Government of the Russian Federation of 23.05.2015 № 497 "About the Federal Target Program of Development of Education for 2016–2020", assuming technologies, updating additional education and education of children at the expense of network interaction by the various subjects, including commercial companies. However, any agreements between the subjects representing educational, scientific, commercial spheres in the contractual models either creating civil liabilities, or not creating such liabilities. To call the cooperation having such forms an education cluster it would be unreasonable owing to lack of a special feature or features in the signed agreements. Inconsistency of public policy for education clusters is expressed in lack of definite answer to a question of creation a cluster as the system of contractual relationships. Additional complexity of perception of such form of an education cluster is created by Act of the Government of the Russian Federation of 28.12.2012 № 2580-R "About Approval of the Strategy of Development of Medical Science in the Russian Federation for the Period till 2025", directed to forming of scientific-education medical clusters. Clusters, as appears from regulations of p. 9 of the Act, shall unite country's research laboratories, faculties and departments of the leading higher education institutions, clinics, research centers and higher education institutions, the innovative entities of various ownership kinds. As it is possible to notice in the considered regulatory Act, the circle of the institutions and companies which was allowed to create education cluster extends. In particular, among them the commercial companies exist. To consider a narrowly targeted scientific-education medical cluster, as the example legalized by the public power for any education clusters, nevertheless difficult at least on a definiteness absence reason in the quoted regulations. The scientific-education medical cluster represents merging of the education, scientific, professional institutes and innovative companies without specification form of resources consolidation: creation of the new legal entity or system of contractual relationships. Legal support of an education cluster regulation as the system of contractual relationships does not allow answering a question about a priority of such form cluster creation as creation of the separate legal entity. However, the existing restrictions on possible subjects of consolidation within the contractual relationships only in separate situations (for example, a scientific-education medical cluster) allow expansion and the admission of new business and participants forms. Narrowing of opportunities of the parties' choice during creation of an education cluster does not create positive effect in case: at least, there is no access to resources of the commercial companies. It is impossible to consider models of the network form "education institutions-education institutions" and "education institutions-company" as an education cluster with the system of contractual relationships: firstly, it is interfered by a difference in the contractual models legalized for a network form and for a cluster and, secondly, it is also a regulatory restriction of a subjects participating in cluster interaction.

Summing up the result of the given network form examples and based on the overseas experience researched by us, we can draw the following conclusions.

Firstly, educational process in network form of education as innovative development does not change an entity and contents of implementable education programs and represents the tools relating to the external form of the programs.

Secondly, a role of network forms — preferentially organizational and providing the special status of the graduate in case of access to a profession through accreditation procedures and an involvement of the education institutes in professional communities.

Thirdly, at the present stage of the Russian legislation the educational institutions were granted the formal right to construct the network form within two classical, international models: “education institutions-education institutions” and “education institutions-company”.

Fourthly, the terminology of clusters used in some Russian Legal Acts and messages in mass media (territorial-innovative cluster; social cluster; medical cluster, etc.) can not mean the concepts similar to the network form. The network form can be used as tool within institutes of innovative activities of a cluster, but educational activities in a cluster cannot be equated to the network form.

Fifthly, the question of the legality based on regulations of the legislation of an opportunity to exercise the formal right to design a network form of a program implementation within two classical, international models is represented debatable for the following reasons. The practical component of a network form consists not only in consolidation of various resources of the educational organizations, companies, but also in positioning of a role of each of similar subjects in educational process, so and in the document on the education level. Also, the idea of a network form pursues, first of all, benefits to the student who as a result gets access to competences, which are not available in the conditions of classical education process.

Sixthly, the example of limited interpretation of a network form in the Russian educational system is connected using the “education institutions-education institutions” model and practice of the included training institute. Using of the included training means an opportunity offsetting of the period of participation of the student enlisted in one education institution in education process of other education institution. At the same time, the degree is issued only by the education institution in which the student was studying, despite the periods of training in other education institutions or even similar organizations.

Seventhly, interpretation of a network form in the Russian educational system is provided by examples of the cooperation based on the agreement “education institutions-company” model. Implementation of the model allows using resources of the company for organization of the student’s practice as the obligatory part of education process included in the curriculum. However, similar inclusion in education process of the company does not mean acquisition status of the institute which issues the document on appropriate level of education. This functionality is provided only with the education institution still.

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